

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PEDRO RODRIGUEZ,

Plaintiff,

v.

R. FISHER, JR., et al.,

Defendants.

No. 1:21-cv-00043-DAD-HBK (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CASE

(Doc. No. 9)

Plaintiff Pedro Rodriguez is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 17, 2021, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed due to plaintiff's failure to state a claim, failure to obey a court order, and failure to prosecute. (Doc. No. 9.) The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days from the date of service. (*Id.*) On August 25, 2021, plaintiff filed objections to the findings and recommendations. (Doc. No. 10.) Those objections do not address either the magistrate judge's original screening order (Doc. No. 8) or the pending findings and recommendations (Doc. No. 9). Rather, in his difficult to decipher objections plaintiff

1 appears to allege that he is being targeted by prison officials (referred to by plaintiff as “custody”  
2 officers) in an effort to delay his release from imprisonment. (Doc. No. 10 at 1.) These  
3 allegations are unrelated to plaintiff’s original complaint and involve a new claim that could be  
4 raised only in a separately filed action.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
6 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings  
7 and recommendations to be supported by the record and by proper analysis.

8 Accordingly,

- 9 1. The findings and recommendations issued on August 17, 2021 (Doc. No. 9) are  
10 adopted in full;
- 11 2. This action is dismissed, without prejudice, due to plaintiff’s failure to obey a  
12 court order; and
- 13 3. The Clerk of the Court is directed to close this case.

14 IT IS SO ORDERED.

15 Dated: September 14, 2021

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18 UNITED STATES DISTRICT JUDGE  
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